

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO. 1:11CV113

REBEL DEBUTANTE LLC, and)
ANNA STUBBLEFIELD, a/k/a ANNA)
FIELDS,)
)
Plaintiffs,)
)
v.)
)
FORSYTHE COSMETIC GROUP,)
LTD., a New York Corporation,)
)
Defendant.)

MOTION FOR EXTENSION OF TIME
TO ANSWER OR OTHERWISE
RESPOND TO COMPLAINT

Defendant Forsythe Cosmetic Group, LTD. (“Forsythe”), by and through counsel and Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Local Rule 6.1, respectfully moves the Court to extend by thirty (30) days the time within which to answer or otherwise respond to the Complaint of Plaintiffs Rebel Debutante LLC and Anna Stubblefield, a/k/a Anna Fields (collectively, “Plaintiffs”). In support of this Motion, Forsythe shows the Court as follows:

1. Plaintiffs filed a Complaint in this Action on February 10, 2011.
2. Forsythe accepted service of the Complaint and Summons, by process server, on or about February 16, 2011.
3. An Answer or other responsive pleading is due from Forsythe no earlier than March 9, 2011, and that time has not yet expired.
4. Undersigned counsel requires additional time to investigate and prepare an Answer or other responsive pleading for the following reasons:

- a. Attorneys Alan B. Clement and Jason Nardiello are lead counsel in this Case and they have multiple conflicts which preexisted the filing of this lawsuit. Jason Nardiello is presently out of the country and will not return until March 9, 2011. Alan B. Clement has conflicts with multiple other pending cases and will be traveling for motions hearings and depositions in multiple states until after March 9, 2011.
- b. Plaintiffs have two other lengthy motions presently pending. Responding to those motions will be time intensive.

5. Plaintiffs will not be prejudiced by this Motion as Forsythe's Answer or other responsive pleading has little to no bearing on the Plaintiffs' pending motions. Furthermore, Forsythe represents to the Court that it will not count any time since the filing of the Complaint as evidence countering Plaintiffs' allegations in their Motion for Preliminary Injunction.

6. No previous motions for an extension of time have been filed.

7. This motion is made in good faith and not for purposes of delay.

8. Forsythe's counsel has contacted counsel for Plaintiffs regarding this Motion. Counsel for Plaintiffs would not consent to this motion.

WHEREFORE, Forsythe respectfully request that the Court enter an Order enlarging the time to respond to the Complaint to and including April 8, 2011.

This the 3rd day of March, 2011.

/s/ Clint S. Morse

David Sar

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Clint S. Morse

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*Attorneys for Defendant Forsythe Cosmetic
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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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This the 3rd day of March, 2011.

/s/ Clint S. Morse